

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Stephen C. Porter

Serial No.: 10/695,151

Filed: October 27, 2003

For: VASO-OCCLUSIVE DEVICES
WITH IN-SITU STIFFENING ELEMENTS

) **Group Art Unit:** 3731
)
) **Confirmation No.:** 6462
)
) **Examiner:** Elizabeth Houston
)
)
)
)
)
)
)

**NOTICE OF APPEAL AND PRE-APPEAL BRIEF REQUEST FOR REVIEW
TRANSMITTAL**

M/S: AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

1. Documents enclosed:

Transmitted herewith in response to the Final Office Action mailed March 10, 2009, for the above-identified application, are the following:

- ☒ Notice of Appeal form PTO/SB/31(1 page);
- ☒ Pre-Appeal Brief Request for Review form PTO/SB/33 (1 page);
- ☒ Arguments in support of Pre Appeal Brief Request for Review (5 pages); and
- ☒ Transmittal with certificate of transmittal (2 pages)

CERTIFICATE OF TRANSMITTAL

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

4/15/09
Date of deposit

Nancy Rushton
Name of Person transmitting Paper

/NancyRushton/
Signature of Person depositing Paper

2. Request for EXTENSION of Time:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$65.00	\$130.00
<input type="checkbox"/> two months	\$245.00	\$490.00
<input type="checkbox"/> three months	\$555.00	\$1,110.00
<input type="checkbox"/> four months	\$865.00	\$1,730.00
<input type="checkbox"/> five months	\$1,175.00	\$2,350.00
		Fee \$0.00

- ☒ If any extension fee is required, please consider this a petition therefore.

3. Method of Payment of fee:

- ☒ Payment made through EFS-Web filing system by credit card in the amount of **\$540.00**.
- ☐ Charge Vista IP Law Group LLP Deposit Account No. **50-1105** in the amount of **\$0.00**.
- ☒ The Commissioner is authorized to charge Vista IP Law Group LLP Account No. **50-1105** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **50-1105**.

Respectfully submitted,
VISTA IP LAW GROUP LLP

Dated: April 15, 2009

By: /DavidTBurse/
David T. Burse
Reg. No. 37,104

Customer Number
41696
PATENT TRADEMARK OFFICE

VISTA IP LAW GROUP LLP
12930 Saratoga Avenue, Suite D-2
Saratoga, CA 95070
Phone (408) 777-2905
Fax (408) 877-1662